

## 1 UNITED STATES DISTRICT COURT

## 2 DISTRICT OF NEVADA

3 \* \* \*

4 INGINIO HERNANDEZ,

Case No. 3:24-cv-00278-ART-CLB

5 Plaintiff,

## ORDER

6 v.

7 BOB FAULKNER, *et al.*,

8 Defendants.

9 Plaintiff Inginio Hernandez filed this pro se civil-rights case under 42 U.S.C. § 1983.  
10 On December 11, 2024, the Court ordered that this case would proceed against Nurse  
11 Gayline only, stayed the case for 90 days, and stated that it would refer this case to the  
12 Court's Inmate Early Mediation Program in a separate order. (ECF No. 9.) This order  
13 explicitly stated, “[d]uring this 90-day stay period and until the Court lifts the stay, no other  
14 pleadings or papers may be filed in this case, and the parties may not engage in any  
15 discovery, nor are the parties required to respond to any paper filed in violation of the stay  
16 unless specifically ordered by the Court to do so.” (*Id.* at 1.)

17 On February 27, 2025, Plaintiff filed a Motion to File an Amended Complaint (ECF  
18 No. 16 at 1–14) with a partial Application to Proceed *In Forma Pauperis* (*id.* at 23–26), a  
19 Motion to Appoint Counsel (*id.* at 15–17), documentation reflecting that he has difficulty  
20 speaking and reading English (*id.* at 19–22), and various exhibits. (*Id.* at 31–68.) This  
21 Motion and its attachments are in violation of the stay. Moreover, the Court has already  
22 noted that Plaintiff needs a Spanish language interpreter to participate in the mediation  
23 program. (See ECF No. 13.)

24 To expeditiously move through the initial screening process and the mediation  
25 program, the Court denies any relief requested in Plaintiff's Motion and its attachments  
26 (ECF No. 16) without prejudice because they are in violation of the stay. If Plaintiff  
27 chooses to resubmit this Motion or any of the attached filings, he must wait until the Court  
28 issues an order lifting the stay.

**IT IS THEREFORE ORDERED** that Plaintiff's Motion to File an Amended Complaint, and its attachments (ECF No. 16), are **DENIED** without prejudice.

**IT IS FURTHER ORDERED** that the deadlines set forth in the December 11, 2024, order remain in effect.

**DATED:** February 28, 2025.

## **UNITED STATES MAGISTRATE JUDGE**